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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/685,906   | 10/14/2003  | Jay H. Son           | 033825-009          | 6267             |
| 21839  | 7590        | 12/07/2005           | EXAMINER            |                  |
| BUCHANAN INGERSOLL PC<br>(INCLUDING BURNS, DOANE, SWECKER & MATHIS)<br>POST OFFICE BOX 1404<br>ALEXANDRIA, VA 22313-1404 |             |                      | BOTT, MICHAEL K     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2176                |                  |

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/685,906             | SON ET AL.          |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Michael K. Botts       | 2176                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10/14/03; 1/30/04; 4/26/04; 4/21/05; 11/14/0.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10/14/03 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____ .  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/30/04; 4/26/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____ .                                  |

### **DETAILED ACTION**

1. This document is the first Office Action on the merits. This action is responsive to the following communications: The Non-Provisional Application, which was filed on October 14, 2003 as a continuation-in-part of U.S. Application No. 10.600,271, which was filed June 20, 2003, and claiming benefit of U.S. Provisional Application No. 60/390,705, which was filed June 21, 2002; Information Disclosure Statements (IDS) filed on January 30, 2004 and April 26, 2004, and Request for Status letters filed April 21, 2005 and November 14, 2005.
2. Claims 1-24 have been examined, with claims 1 and 13 being the independent claims.
3. A Demand for Information is made.
4. Claims 1-24 are rejected.

#### ***Information Disclosure Statement***

5. An initialed and dated copy of applicant's IDS form 1449, filed January 30, 2004 and April 26, 2004, is attached to this Office Action.

#### ***Requirement for Information – 37 C.F.R. 1.105***

6. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

This requirement for information is made necessary because of website information posted by the Assignee, 3cim, that identifies what is believed to be the claimed methods, systems, and computer readable mediums. It appears from a reasonable reading of the information posted by 3cim that the company was started in 1999, and, that from its inception, the company was selling or offering for sale to the public a product that was similar to or identical to the invention now claimed. It also appears that the invention claimed was in public use as at least as early as 1999.

The first page, downloaded by the Examiner on November 18, 2005 from [www.3cim.com/demo/loopnet/about.html](http://www.3cim.com/demo/loopnet/about.html), states that the company was founded in 1999 and offers "panoramic images on the Web," with more detailed descriptions such that it appears that the claims read on the products that appear to have been in public use in 1999. This page is attached to this Office Action, identified as "3cim 1999."

The second page, downloaded by the Examiner on November 18, 2005, from [www.3cim.com/about/asp](http://www.3cim.com/about/asp), states that "3cim was incorporated in March 2000 to provide state of the art Internet imaging solutions designed to enhance revenue improving the buying experience and creating more effective web-based presentations." The web page includes detailed descriptions of the services and products such that it appears that the inventions claimed were in public use at least by 2000. This page is attached to this Office Action, identified as "3cim 2000."

The Examiner does not have knowledge of or ready access to all products and services that were made available to the public by the applicants at the time of the invention, and before. Therefore, the Examiner is not able to fully search the relevant

prior art. Such prior art and prior uses, if they exist, are known to the applicants. Identification of these prior art documents will greatly assist the Examiner in the prior art and prior public use examination of this application.

Unless otherwise specified, the information required is for that known by any inventor or the assignee before and up to the time of the application. Also, unless otherwise specified, all requirements for information are to be answered by all inventors, attorneys or agents, assignees, and others associated with inventors or assignees who are or were substantively involved in preparation or prosecution of this application.

It is noted that the time for response to this Requirement is the same as that set for a response to this Office Action – 3 months.

a) ***Commercial Databases:*** The existence of any particularly relevant commercial computer program, computer code, computer program development documentation, or user or developer documentation that is known to any of the inventors and/or the assignee that could be searched for the following particular aspects of the invention:

- 1) The method of claim 1, and in particular, the steps of "selecting image files from a computer of the user; uploading the image files to a server computer from the computer of the user; configuring the image files to specifications prescribed by the user; generating a presentation viewable from a web page from the image files; storing the presentation on the server; and assigning a uniform resource locator for the presentation."

- 2) The method of claim 2, and in particular, the steps of "selecting image files from a computer of the user; uploading the image files to a server computer from the computer of the user; configuring the image files to specifications prescribed by the user; generating a presentation viewable from a web page from the image files; storing the presentation on the server; and assigning a uniform resource locator for the presentation," wherein the image files are a "3DMovie."
- 3) The method of claim 3, and in particular, the steps of "selecting image files from a computer of the user; uploading the image files to a server computer from the computer of the user; configuring the image files to specifications prescribed by the user; generating a presentation viewable from a web page from the image files; storing the presentation on the server; and assigning a uniform resource locator for the presentation," wherein the image files are a "Virtual Tour."
- 4) The system of claim 13, and in particular, the system of "a user computer for selecting and uploading image files, and prescribing specifications for the image files by the user; and a server computer for receiving the image files and configuring the image files to the specifications, the server computer being configured to generate and store a presentation viewable from the image files and assign a uniform resource locator to the presentation."
- 5) The system of claim 14, and in particular, the system of "a user computer for selecting and uploading image files, and prescribing specifications for the image files by the user; and a server computer for receiving the image

files and configuring the image files to the specifications, the server computer being configured to generate and store a presentation viewable from the image files and assign a uniform resource locator to the presentation," wherein the image files are a "3DMovie."

6) The system of claim 15, and in particular, the system of "a user computer for selecting and uploading image files, and prescribing specifications for the image files by the user; and a server computer for receiving the image files and configuring the image files to the specifications, the server computer being configured to generate and store a presentation viewable from the image files and assign a uniform resource locator to the presentation," wherein the image files are a "Virtual Tour."

b) **Search:** Whether a search of the prior art was made, and if so, what was searched. This requirement for information is made for prior art searches made up to the time of the response to this Office Action.

c) **Related Information:** A copy of any non-patent literature, published application, or a patent (U.S. or foreign), by any of the inventors and/or assigned to the assignee, that relates to the claimed invention.

d) ***Information Used to Draft Application:*** A copy of any non-patent literature, published application, or patent (U.S. or foreign) that was used in the invention process, such as by designing around or providing a solution to accomplish an invention result.

e) ***Improvements:*** Where the claimed invention is an improvement, identification of what is being improved.

f) ***In Use:*** Identification of any use of the claimed invention known to any of the inventors and/or to the assignee at or before the time the application was filed notwithstanding the date of the use.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. **Claims 2, 3, 14, and 15** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding **dependent claims 2 and 14**, the cited claims use the term “3DMovie” in what appears to be a trademark or trade name context. It is noted that a “3DMovie” is defined in a generic sense in the disclosure. Disclosure, paragraph [0004].

If a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. *Ex parte Simpson*, 218 USPQ (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. See, MPEP 608.01(v) and 2173.05(u).

If a trademark or trade name appears in a claim and is not intended as a limitation in the claim, the question is presented as to why it is used in the claim. It is not clear from the context of the use of the term whether it refers to a trademark or trade name, or to a generic video stream loaded to a server and made available on the Internet. Therefore, the term “3DMovie,” as used in the claims cited above, renders the scope of those claims to be uncertain.

Regarding **dependent claims 3 and 15** the cited claims use the term “Virtual Tour” in what appears to be a trademark or trade name context. It is noted that a “Virtual Tour” is defined in a generic sense in the disclosure. Disclosure, paragraph [0005].

If a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. *Ex parte Simpson*, 218 USPQ (Bd.

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App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. See, MPEP 608.01(v) and 2173.05(u).

If a trademark or trade name appears in a claim and is not intended as a limitation in the claim, the question is presented as to why it is used in the claim. It is not clear from the context of the use of the term whether it refers to a trademark or trade name, or to a generic panoramic video stream loaded to a server and made available on the Internet. Therefore, the term "Virtual Tour," as used in the claims cited above, renders the scope of those claims to be uncertain.

***Claims Rejections – 35 U.S.C. 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. **Claims 1-5, 9, 13-17, and 21** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by "Macromedia Dreamweaver 3, Using Dreamweaver," Macromedia, Inc., December 1999, pages 110, 153-156, 201, and 281-296 [hereinafter "Macromedia"].

Regarding **independent claim 1**, Macromedia teaches:

*A method for a user to create a presentation that is published on the Internet, the method comprising the following steps:  
selecting image files from a computer of the user;  
uploading the image files to a server computer from the computer of the user;  
configuring the image files to specifications prescribed by the user;  
generating a presentation viewable from a web page from the image files;  
storing the presentation on the server; and  
assigning a uniform resource locator for the presentation.*

(See, Macromedia, pages 150-152, teaches "getting files," which copies files from a remote site to a local computer, and it also teaches "putting files," which copies files from the local site to a remote site, including, specifically, copying files to be stored on a remote server.

See also, Macromedia, page 153-156, teaching a remote user how to configure update or synchronize local files with those saved on a remote server.

See, Macromedia, p. 110, teaching assigning Uniform Resource Locators URLs to establish absolute paths to documents on a remote server. In general, it is noted that images are among the data types taught to be manipulated in Macromedia.

Specifically, see, Macromedia, page 201, teaching linking to an image using a URL.)

Regarding **dependent claim 2**, Macromedia teaches:

*The method of claim 1 wherein the presentation is a 3DMovie.*

(It is noted that a 3DMovie is defined in the disclosure as follows: "The 3DMovie is a series of images of an object or objects captured from multiple angles. The images are self-running in succession by a single interface on a customer's computer. The images

are formed by having the object stationary and the camera changing position in a circular pattern or by having the camera remain stationary while the object is rotated on its central axis while the images are taken. By displaying the images in quick succession, the images appear to be a movie showing the object on a computer screen." Disclosure, paragraph [0004].

See, Macromedia, pages 281-296, teaching publishing of movies. Specifically, Macromedia teaches the insertion of "a java applet, Shockwave movie, Flash movie, ActiveX control, or other audio or video objects in a page . . ." Macromedia, page 281.

It is inherent in Flash and QuickTime movies, as taught by Macromedia, to "display images in quick succession" such that the "images appear to be a movie." As evidence of the inherency of Flash and QuickTime movies being the same as "displaying objects in quick succession," see, Chun, R., "Flash 5 Advanced or Windows and Macintosh: Visual QuickPro Guide," Peachpit Press, 2001, Chapter 2.)

It would have been obvious to one of ordinary skill in the art at the time of the invention that the insertion of a movie as an image in the internet would include movies as defined in the present invention as "3DMovies.")

Regarding **dependent claim 3**, Macromedia teaches:

*The method of claim 1 wherein the presentation is a Virtual Tour.*

(It is noted that a "Virtual Tour" is defined in the disclosure as follows: "A Virtual Tour is a panoramic image which can typically span 360 degrees. The Virtual Tour is

generated from a series of images which are stitched together to form the completed view." Disclosure, paragraph [0005].

See, Macromedia, pages 281-296, teaching publishing of movies. Specifically, Macromedia teaches the insertion of "a java applet, Shockwave movie, Flash movie, ActiveX control, or other audio or video objects in a page . . ." Macromedia, page 281.

It is inherent in Flash and QuickTime movies, as taught by Macromedia, to display a 360 degree panoramic view of some place. See, Chun, R., "Flash 5 Advanced or Windows and Macintosh: Visual QuickPro Guide," Peachpit Press, 2001, Chapter 2.) It would have been obvious to one of ordinary skill in the art at the time of the invention that the insertion of a movie as an image in the internet would include movies as defined in the present invention as a "Virtual Tour."

Regarding **dependent claim 4**, Macromedia teaches:

*The method of claim 1 wherein the image files are configured to image height specifications selected by the user.*

(See, Macromedia, page 201, teaching setting width and height specifications for an image to be loaded onto a browser.)

Regarding **dependent claim 5**, Macromedia teaches:

*The method of claim 4 wherein the image files are configured to consistent sizes.*

(See, Macromedia, page 201, teaching setting width and height specifications for an image to be loaded onto a browser. It is inherent with the ability to set width and height specifications that a sequence of images can be configured to consistent sizes.)

Regarding **dependent claim 9**, Macromedia teaches:

*The method of claim 1 wherein an unique identification number is generated for the presentation.*

(See, Macromedia, page 282, teaching accessing media files by file address. The Examiner takes official notice of the fact that file addresses within a computer system or network are unique. It would be obvious to one of ordinary skill in the art at the time of the invention to assign a unique file address to an image file such that the image file may be generated for presentation by accessing its file address.)

Regarding **dependent claims 13-17 and 21**, claims 13-17 and 21 incorporate substantially similar subject matter as claimed in claims 1-5 and 9, respectively, and they are rejected along the same rationale.

#### ***Claims Rejection – 35 U.S.C. 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 6 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Macromedia as applied to claims 1 and 13 above, respectively, and further in view of Bonneau, et al. (U.S. Patent 5,870,502) [hereinafter “Bonneau”].

Regarding **dependent claim 6**, Macromedia in view of Bonneau teaches:

*The method of claim 1 further comprising the step of compressing the image files after configuring the image files to the specifications.*

(It is noted that “compressing the image” is only briefly mentioned in the disclosure, with no enablement on how to specifically compress the files. See disclosure, paragraphs [0009], [0030], and [0059]. For this reason, as used in this Office Action, “compressing the image files” is read as being consistent with art that was well known to one of ordinary skill in the art at the time of the invention.

Macromedia teaches the method of publishing image files on a web server and allowing access to a user to specify configuration of those files. Macromedia does not specifically teach the compression of image files on the server.

Bonneau teaches image data compression techniques. In addition to the image compression technique disclosed, Bonneau also discusses other image compression techniques that were well known to one of ordinary skill in the art at the time of the Bonneau invention. The prior art techniques included “fractal embedding” and “wavelet edge detection.” See, Bonneau, col. 4, line 57 through col. 3, line 43. See also, Bonneau, col. 4, line 57 through col. 5, line 6, teaching Bonneau’s invention for the

efficient compression of video, comprised of “a series of frames, each of which is a digital image.”

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the web server functions of Macromedia to include a video image compression program, as taught by Bonneau. A person operating a server and permitting access to that server for other users to post image data would have been motivated to include image compression for many practical reasons, including memory storage limitations and transmission speeds. The suggestion to combine a network server and image data is specifically stated in Bonneau, including: “to increase the efficiency.” See, Bonneau, col. 1, line 44 through col. 2, line 3, teaching reasons to compress image data on a network.

The result of the combination of the teachings of Macromedia and Bonneau would be a method of publishing image data on an Internet accessible server with user account specification and image data compression.)

Regarding **dependent claim 18**, claim 18 incorporates substantially similar subject matter as claimed in claim 6, and it is rejected along the same rationale.

10. **Claims 7, 10-12, 19, and 22-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Macromedia as applied to claims 1 and 13 above, respectively, and further in view of Chun, R., “Flash 5 Advanced for Windows and Macintosh: Visual QuickPro Guide,” Peachpit Press, 2001, downloaded pages 1-18 [hereinafter “Chun”].

Regarding **dependent claim 7**, Macromedia teaches:

*The method of claim 1 further comprising the step of inserting sequence numbers into each image file.*

(It is noted that “inserting sequence numbers” is only briefly mentioned in the disclosure, with no enablement on how to specifically insert sequence numbers into the files. See, disclosure, paragraphs [0009] and [0030]. For this reason, as used in this Office Action, “inserting sequence numbers” is read as being consistent with art that was well known to one of ordinary skill in the art at the time of the invention.

Macromedia teaches the method of publishing image files on a web server and allowing access to a user to specify configuration of those files. Macromedia does not specifically teach inserting sequence numbers on image file, but it does teach the insertion of a Flash movie as an image file on a web server.

Chun teaches that Flash movies are comprised of sequential image frames, which are individually sequenced and accessible.

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the web server functions of Macromedia to include a Flash movie with sequential image frames, as taught by Chun. The suggestion to use a Flash movie as media in on a web server is explicitly taught in Macromedia. See, Macromedia, page 281.

The result of the combination of the teachings of Macromedia and Chun would be a method of publishing image data on an Internet accessible server with user account specification and an image file comprised of sequentially numbered images.)

Regarding **dependent claim 10**, Macromedia teaches:

*The method of claim 9 wherein the identification number is used for adding audio files to the presentation.*

(Macromedia teaches the method of publishing image files on a web server and allowing access to a user to specify configuration of those files. Macromedia also inherently teaches the identification of a file by a unique file address. Macromedia does not teach association of the unique identification number with an audio file.

Chun teaches that Flash movies may be comprised of video files linked to sound files by file addresses. Sound associated with a video file is defined as "narration." See, Chun, downloaded page 36.

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the web server functions of Macromedia to include a Flash movie with associated audio files, as taught by Chun. The suggestion to use a Flash movie as media in on a web server is explicitly taught in Macromedia. See, Macromedia, page 281. Flash movies with video and associated sound is explicitly taught by Chun.

The result of the combination of the teachings of Macromedia and Chun would be a method of publishing image data on an Internet accessible server with user account specification and an image file comprised of video images and associated sound.)

Regarding **dependent claim 11**, Macromedia teaches:

*The method of claim 1 further comprising the step of adding narration to the presentation by having the user record audio files that are associated with the presentation.*

(Macromedia teaches the method of publishing image files on a web server and allowing access to a user to specify configuration of those files. Macromedia also inherently teaches the identification of a file by a unique file address. Macromedia does not teach association of the unique identification number with an audio file.

Chun teaches that Flash movies may be comprised of video files linked to sound files by file addresses. Sound associated with a video file is defined as "narration." See, Chun, downloaded page 36.

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the web server functions of Macromedia to include a Flash movie with associated audio files, as taught by Chun. The suggestion to use a Flash movie as media in on a web server is explicitly taught in Macromedia. See, Macromedia, page 281. Flash movies with video and associated sound is explicitly taught by Chun.

The result of the combination of the teachings of Macromedia and Chun would be a method of publishing image data on an Internet accessible server with user account specification and an image file comprised of video images and associated sound.)

Regarding **dependent claim 12**, Macromedia teaches:

*The method of claim 11 wherein the audio files are played when the presentation is played.*

(See, Macromedia, page 288, teaching that a Flash movie may be set to play automatically when a page loads through the “Autoplay” function.)

Regarding **dependent claims 19 and 22-24**, claims 19 and 22-24 incorporate substantially similar subject matter as claimed in claims 7, and 10-12, respectively, and they are rejected along the same rationale.

11. **Claims 8 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Macromedia as applied to claims 1 and 13 above, respectively, and further in view of Wagstaff, S., “Animation on the Web,” Peachpit Press, 1999, downloaded pages 1-19 [hereinafter “Wagstaff”].

Regarding **dependent claim 8**, Macromedia teaches:

*The method of claim 1 further comprising the step of stitching the image files into a panoramic image.*

(It is noted that “stitching the image files into a panoramic image” is only briefly mentioned in the disclosure, with no enablement on how to specifically stitch the image files into a panoramic image other than reference to the use of “stitching software.” See, disclosure, paragraphs [0057], [0058], [0059], and [0069]. For this reason, as

used in this Office Action, “stitching the image files into a panoramic image” is read as being consistent with art that was well known to one of ordinary skill in the art at the time of the invention.

Macromedia teaches the method of publishing image files on a web server and allowing access to a user to specify configuration of those files. Macromedia also teaches using “other audio or video objects in a page.” Macromedia does not specifically teach inserting sequence numbers on image file, but it does teach “stitching the image files into a panoramic image.”

Wagstaff teaches stitching of image frames into a panorama. Wagstaff teaches the “image stitching software” disclosed by the applicant. See, disclosure, paragraph [0069].

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the web server functions of Macromedia to include a panoramic image of stitched images according to the teachings of Wagstaff. Wagstaff explicitly cites to the use of the teachings to web developers. See, Wagstaff, downloaded page 4.

The result of the combination of the teachings of Macromedia and Wagstaff would be a method of publishing image data on an Internet accessible server with user account specification and a panoramic image file comprised of stitched together images.)

Regarding **dependent claim 20**, claim 20 incorporates substantially similar subject matter as claimed in claim 8, and it is rejected along the same rationale.

***Conclusion***

12. The following prior art is made of record and not relied upon that is considered pertinent to applicants' disclosure:

Witek, et al (U.S. Patent 6,253,188), teaching a method for providing classified advertisements over the internet.

LeMole, et al. (U.S Patent 6,009,410), teaching advertising on a World Wide Web server, including 3-D images, video, and audio clips.

Call (U.S. Patent 5,913,210), teaching Internet commerce with multiple users located on web servers.

Fergusson, et al. (U.S. Patent 5,819,092), teaching a visual editing system for commercial online computer service, including online designer subsystems.

Ferreira (U.S. Patent Application Publication 2001/0034661 A1), teaching a virtual city with interactive e-commerce web sites.

Olefson (U.S. Patent Application Publication 2001/0025261), teaching an electronic panoramic interactive tour with optional audio.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday Thru Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKB

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